

CASE NO.: CA920010006US1
Serial No.: 09/998,704
September 20, 2005
Page 8

PATENT
Filed: November 30, 3001

Remarks

Reconsideration of the above-captioned application is respectfully requested. Claims 1-11 and 20-22 have been rejected under 35 U.S.C. §101 for reciting non-statutory subject matter, which rejections have been overcome by the present amendments, variously reciting useful, concrete, and tangible results, and consequently the Section 101 rejections will not be further discussed. Claim 12 was rejected under 35 U.S.C. §112, second paragraph for an informality, which has been corrected herein. This leaves the rejections of Claims 1-5, 7-12, and 20-22 under 35 U.S.C. §102 as being anticipated by Bergamaschi et al. (publication referred to in Office Action as "Bergamaschi").

It may first be helpful to observe that Bergamaschi is directed to the problem of storing objects, which include not just data structures but also behaviors, in RDBMS, which are not conducive, per Bergamaschi, to storing behaviors, but just data structures. In contrast, the present invention seeks to reconcile use of different RDBMS by means of object-oriented programming.

With these different focal points in mind, it does not appear, contrary to the allegation in the Office Action, that Bergamaschi, pages 44-46 teach an object that has a property for indicating a database-specific data type name for a member, nor is there any reason for it to. Stated differently, Bergamaschi does not evidently envision different types of RDBMS, so there is no reason for it to indicate anything that is database-specific, much less a database-specific data type name.

Because the Office Action contains nothing more specific in this regard other than a general citation to pages 44-46, it is somewhat difficult to tell what, exactly, in Bergamaschi the examiner believes is a database-specific data type name. The class name of the ApplicationData class mentioned in Bergamaschi is not database-specific, nor is the "select class". Instead, the ApplicationData class includes data types

1176-11.AM2

CASE NO.: CA920010006US1

Serial No.: 09/998,704

September 20, 2005

Page 9

PATENT

Filed: November 30, 3001

without tying them to a specific database, and various object behaviors that use the data types, but again, nothing is taught in pages 44-46 of the reference that is directed to anything which is database-specific. Indeed, it follows that because the objects of Bergamaschi do not apparently mention a database type or name, they are database-independent: the precise opposite of what is claimed.

Because all of the elected independent claims contain the database-specific provision, all substantive rejections have been overcome.

Additionally, non-elected, still pending claims 16-19 (which Applicant has not canceled) appear to be in condition for allowance.

The Examiner is cordially invited to telephone the undersigned at (619) 338-8075 for any reason which would advance the instant application to allowance.

Respectfully submitted,



John L. Rogitz
Registration No. 33,549
Attorney of Record
750 B Street, Suite 3120
San Diego, CA 92101
Telephone: (619) 338-8075

JLR:jg

1176-11.AM2